

Message Text

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FM AMEMBASSY WARSAW

TO SECSTATE WASHDC 9524

INFO AMEMBASSY BELGRADE

AMEMBASSY BERLIN

AMEMBASSY BUCHAREST

AMEMBASSY BUDAPEST

AMEMBASSY MOSCOW

AMEMBASSY PRAGUE

AMEMBASSY SOFIA

AMCONSUL KRAKOW

AMCONSUL POZNAN

C O N F I D E N T I A L SECTION 1 OF 2 WARSAW 0525

E.O. 11652: GDS

TAGS: PINT, PFOR, PL

SUBJECT: PROPOSED CONSTITUTIONAL CHANGES AIRED

REF 75 WARSAW 6394 (NOTAL), 75 WARSAW 7923 (NOTAL)

75 WARSAW 8270

1. SUMMARY. THE FIRST PUBLIC UNVEILING OF SOME OF THE
PROPOSED CHANGES IN THE POLISH CONSTITUTION CONTAINS RE-
FERENCES TO POLAND AS A SOCIALIST STATE AND
THE LEADING POLITCAL ROLE OF THE PZPR.
WHILE WATERED DOWN FROM WHAT WAS ORIGINALLY PROPOSED
AND REPORTEDLY NOT YET COMPLETE IN SCOPE OR
FROM, THESE CONSTITUTIONAL CHANGES PROBABLY REPRESENT
A POLSIH RESPONSE TO SOVIET PRESSURE TO CON-
FORM MORE TO THE USAGES OF THE REST OF THE SOCIALIST
COMMUNITY. END SUMMARY.

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2. IN ITS JANUARY 24-25 EDITION, TRYBUNA LUDU REPORTED THAT THE JANUARY 23 MEETING OF THE SPECIAL SEJM COMMITTEE ON POSSIBLE CHANGES IN THE POLISH CONSTITUTION HAS FORMULATED SEVERAL MODIFICATIONS OR ADDITIONS TO THE PRESENT DOCUMENT. THE POTENTIALLY MOST SENSITIVE FOLLOW.

3. PARAGRAPH 1, ITEM 1, WHICH NOW READS, "THE POLISH PEOPLE'S REPUBLIC IS A STATE OF POPULAR DEMOCRACY," IS CHANGED TO, " THE POLISH PEOPLE'S REPUBLIC IS A SOCIALIST STATE".

4. PARAGRAPH 3 WHICH STIPULATES THE PRIMARY TASKS OF THE POLISH PEOPLE'S REPUBLIC (PPR) IS HEAVILY MODIFIED. DELETED IS ITS ITEM 4 WHICH PROVIDED THAT THE PPR "RESTRICTS AND GRADUALLY ERADICATES CLASSES OF SOCIETY WHICH LIVE BY EXPLOITATION OF WORKERS AND PEASANTS". THERE ARE NUMEROUS ADDITIONS, INCLUDING ONE THAT THE PPR CARRIES INTO EFFECT AND DEVELOPS SOCIALIST DEMOCRACY.

5. SEVERAL NEW PARAGRAPHS READ INTO THE CONSTITUTION FOR THE FIRST TIME EXPLICIT LANGUAGE ABOUT THE POLISH UNITED 'WORKERS' PARTY (PZPR) AND THE PRINCIPLES OF POLISH FOREIGN POLICY.

6. PZPR. "THE LEADING POLITICAL FORCE OF SOCIETY IN SOCIALIST CONSTRUCTION IS THE POLISH UNITED WORKERS' PARTY". FURTHER, "COOPERATION OF THE POLISH UNITED WORKERS' PARTY, THE UNITED PEASANT PARTY AND THE DEMOCRATIC PARTY IS THE FOUNDATION OF THE FRONT OF NATIONAL UNITY". AND FINALLY, "THE FRONT OF NATIONAL UNITY IS THE COMMON PLATFORM OF ACTIVITY OF ALL SOCIAL ORGANIZATIONS

OF THE WORKING PEOPLE AND A PLATFORM FOR THE PATRIOTIC UNITY OF THE CITIZENS OF THE POLISH PEOPLE'S REPUBLIC REGARDING THE VITAL INTERESTS OF THE NATION AND THE STATE".

7. FOREIGN POLICY. THE DRAFT PROVIDED THAT, IN ITS POLICY, THE PPR "IS GOVERNED BY THE INTERESTS OF THE POLISH NATION, CONFIDENTIAL
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ITS SOVEREIGNTY, INDEPENDENCE, SECURITY, PEACE, AND INTERNATIONAL COOPERATION"; "FOLLOWS THE LAUDABLE TRADITIONS OF SOLIDARITY WITH FORCES OF FREEDOM AND PROGRESS, STRENGTHENS FRIENDSHIP AND COOPERATION WITH THE SOVIET UNION AND OTHER SOCIALIST COUNTRIES"; AND, "BASES RELATIONS WITH COUNTRIES WITH DIFFERENT SOCIAL SYSTEMS ON THE PRINCIPLES OF PEACEFUL COEXISTENCE AND COOPERATION".

8. A MAJOR REDRAFT OF PARAGRAPH 10 OF THE CONSTITUTION (AGRICULTURE) IS ALSO PROPOSED. THE BLATANT CLASS LAN-

GUAGE OF THE PRESENT CONSTITUTION IS ELIMINATED. A LONG-TERM SOCIALIST TRANSFORMATION IN THE COUNTRYSIDE IS PROMOTED, PRIVATE FARMS RUN BY WORKING PEASANTS ARE TO BE PROTECTED, AND SUPPORT IS TO BE GIVEN TO COLLECTIVE FARMS SET UP ON A VOLUNTARY BASIS, ESPECIALLY TO AGRICULTURAL PRODUCTION CO-OPERATIVES.

9. THE MOST OMINOUS OF ALL POSSIBLE CHANGES SO FAR IS CONTAINED IN A PROPOSED AMENDMENT TO PARAGRAPH 57

(FUNDAMENTAL RIGHTS AND DUTIES OF CITIZENS). ONE SUGGESTED SUPPLEMENT READS, "THE RIGHTS OF CITIZENS ARE INSEPARABLY LINKED WITH AN HONEST EXECUTION OF THEIR DUTIES TOWARD THE FATHERLAND". WHAT THIS MIGHT MEAN IN PRACTICE HAS NOT YET BEEN MADE KNOWN.

10. THE TRYBUNA LUDU ARTICLE INDICATES THAT THE DRAFTING COMMISSION WILL CONTINUE ITS WORK ON IMPROVING THE PROPOSED CHANGES AND SUPPLEMENTS.

11. COMMENT: AT THE SIXTH CONGRESS IN 1971, THE GIREK LEADERSHIP INDICATED THAT IT INTENDED TO REVISE THE EXISTING CONSTITUTION. GIEREK REAFFIRMED THIS IN HIS SEJM SPEECH OF JULY 2, 1974. THE GUIDELINES FOR THE SEVENTH PARTY CONGRESS WERE EVEN MORE EXPLICIT, SO MUCH SO THAT SOMETHING OF A NATIONAL DEBATE HAS BEEN INITIATED BY THE NOW FAMOUS "PROTEST OF THE 59" AND OTHER SIMILAR MEMORANDA, WHICH HAVE RECEIVED WIDE PUBLICITY INSIDE AND OUTSIDE OF POLAND. ADDITIONALLY, THE POLISH EPISCOPATE WEIGHED IN PRIVATELY AND PUBLICLY; CARDINAL WYSZYNSKI HAS DELIVERED
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THREE MEMORABLE SERMONS. THE PRESSURE HAS BEEN SUCH THAT BOTH

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AMCONSUL POZNAN

C O N F I D E N T I A L SECTION 2 OF 2 WARSAW 0525
TRYBUNA LUDU AND ZYCIE WARSZAWY HAVE BEGUN PRINTING
LETTERS FROM WORKERS IN FAVOR OF THE CHANGES.

12. WHILE STRONG PROVISIONS ABOUT "A SOCIALIST STATE"
AND THE "LEADING ROLE OF THE PZPR" WERE CONTAINED IN THE
GUIDELINES, PROPOSED REFERENCES TO FOREIGN POLICY AND
RELATIONS WITH THE SOVIET UNION FIRST APPEARED
CLEARLY IN POLITBIURO MEMBER BABIUCH'S DECEMBER 19
SPEECH TO THE SEJM, WHEN HE SAID, "ALSO CONFIRMED IN
THE CONSTITUTION SHOULD BE THE PRINCIPLES OF POLAND'S
FOREIGN POLICY, ITS PARTICIPATION IN THE WORLD
SOCIALIST SYSTEM, ITS UNSHAKEABLE FRATERNAL BONDS
WITH THE SOVIET UNION, ITS UNBREAKABLE DETERMINATION
TO BE GUIDED BY THE PRINCIPLES OF PEACEFUL COEXISTENCE
IN RELATIONS WITH STATES OF DIFFERENT SYSTEMS."

13. THE PRESENT POLISH CONSTITUTION IS THE ONLY ONE
IN THE "SOCIALIST COMMUNITY" TO CONTAIN NO EXPLICIT
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REFERENCE TO THE LEADING ROLE OF THE INDIGENOUS COM-
MUNIST PARTY OR TO THE EXISTENCE OF A "SOCIALIST STAT."
THE PROPOSED CHANGES, NO MATTER HOW WATERED DOWN IN
THE FINAL TEXT, WILL REMEDY THESE DIFICIENCIES IN A
REQUIRED BOW TO MOSCOW.

14. COMMENT: A QUICK COMPARISON OF THE PROPOSED
CONSTITUTIONAL CHANGES AS REPORTED IN TRYBUNA LUDU WITH
THOSE MOOTED LAST FALL IN THE CONGRESS GUIDELINES CALLS
TO MIND THE VARIATION ON THE POLISH FOLK-DANCE, THE
OBEREK, WHICH, ACCORDING TO WARSAW'S COFFEE-HOUSE WITS,

THE FIRST SECRETARY HAS INVENTED. THE NEW DANCE, THE OGIEREK, CONSISTS OF TWO STEPS FORWARD AND ONE BACK, IN TIME TO A STATELY MELODY.

15. THE EIPISCOPATE CAN PROBABLY ACCEPT A FORMULATION WHICH LIMITS THE LEADING ROLE OF THE PZPR TO THE POLITICAL REALM. THE FARMERS SHOULD BE REASSURED BY THE PROMISE THAT, WHETHER POLAND IS TERMED A SOCIALIST STATE OR NOT, PRIVATE PARMS WILL BE PROTECTED.

16. AT THE SAME TIME, THE POLES HAD AND HAVE A STRONG RESPECT FOR CONSTITUTIONAL FORMS. WHILE THE PRESENT CONSTITUTION HAS BEEN HONORED MORE IN THE BREACH THAN ANY OTHER WAY, IT IS A POINT OF REFERENCE WHICH ECHOES THE CLAIMS TO LEGITIMANCY AND MORAL OBLIGATION OF EARLIER STATE DOCUMENTS. OBVIOUSLY, NO CHANGE IN THE CONSTITUTION UNDER PRESENT INTERNATIONAL CONDITIONS COULD MODIFY THE PZPR'S DE FACTO MONOPOLY OF POWER. THE THRUST OF THE PROTEST OF THE 59 AND OTHERS HAS RATHER BEEN AN ATTEMPT TO AVOID A SYMBOLIC OR MORAL RECOGNITION OF THAT MONOPOLY IN A DOCUMENT WHICH, THEY CONTED, SHOULD BE ABOVE PARTY OR IDEOLOGY.

1' WE CAN ONLY EXPLAIN GIEREK'S DECISION TO PURSUE CONSTITUTIONAL CHANGES WITH STRONG IDEOLOGICAL OVERTONES AT THIS TIME, IN SHARP CONTRAST TO THE PRAGMATIC THRUST OF THE POLICY HE HAS FOLLOWED SINCE 1971, AS A REQUIRED BOW TO MOSCOW, NO DOUBT AS PART OF THE PRICE HE HAS TO PAY FOR HIS OPENING TO THE WEST. ALL THE CARDS HAVE NOT YET BEEN DEALT. BUT IT SEEMS TO US
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THAT THE IDEOLOGICAL TIGHTENINGUP, FORESHADOWED BEFORE THE HELSINKI CONFERENCE AND LAREADY EVIDENT IN SOME OTHER EASTERN EUROPEAN COUNTRIES, HAS NOW REACHED POLAND. THE FINAL TEXT OF THE CONSTITUTIONAL AMENDMENTS WILL TELL US MORE ABOUT HOW FAR THE PROCESS IS LIKELY TO GO.
END COMMENT.
DAVIES

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